

### **REMARKS**

The Applicants acknowledge the Examiner's comprehensive Office Action, a **Final Rejection**, with appreciation. Claims 29-38, 40, and 43-45 remain pending in the application. The Office indicates that Claims 29-37 and 45 are allowable. The Office maintains a rejection under 35 USC § 112, first paragraph.

Claims 38-40, 43, and 44 remain rejected for lack of enablement under 35 USC § 112, first paragraph. It continues to be the position of the Office that the specification, while being enabling for the specific compounds of formula (I) as hypolipaeamic agents, does not reasonably provide enablement for the breadth of compounds encompassed by instant formula (I) for treating cancer.

With the instant Amendment, the claims have been amended to limit the condition claimed to be treatable to hyperlipidaemia, treatment of which condition is acknowledged as enabled by the Office. Treatment of cancer has been cancelled without prejudice to the inclusion of the cancelled subject matter in a subsequent continuing application. Reconsideration and withdrawal of the lack of enablement rejection is respectfully requested.

\* \* \* \* \*

Accordingly, entry of the present amendment, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned agent has made an earnest effort to place this application into condition for immediate allowance. If she can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call her at her below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By:   
MICHELE M. CUDAHY, Reg. No. 55,093

Dated: May 2, 2007  
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Enclosure: Listing of Claims and Postal Card Receipt

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**THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.**